

REMARKS

The application has been reviewed in light of the Office Action dated July 23, 2004. Claims 1-20 were pending. By this Amendment, claims 1, 6, 15 and 20 have been amended to clarify the claimed invention, and new independent claim 21 has been added. Accordingly, claims 1-21 are now pending in this application, with claims 1, 6, 15, 20 and 21 being in independent form.

Claims 1-20 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,078,897 to Rubin et al.

Applicants have carefully considered the Examiner's comments and the Rubin reference, and respectfully submit that independent claims 1, 6, 15 and 20 are patentable over the cited art, because the cited art does not (expressly or inherently) disclose or suggest each and every feature of the claimed invention.

This application is directed to interactive promotion of product sales in Internet sales transactions. The sales of products through the Internet can be enhanced by offering promotions functionally related to an order the customer places, in order to induce the customer to increase the order or place an additional order.

The techniques described in the application provides for display of promotion information only if the initial order, for example, meets or exceeds a minimum quantity, and no promotion information is displayed if the initial order does not meet or exceed the minimum quantity. Customers in some instances only desire to purchase a few units of a product or only has a limited budget which can be spent, and therefore would not be interested in promotional offers which are based on a minimum quantity. Therefore, when the initial order is for only a few units (for example, does not meet or exceed a minimum quantity), quantity-based promotions need not

be presented. Each of the independent claims (1, 6, 15 and 20) has been amended to more clearly recite this feature. New independent claim 21 also includes this feature.

Rubin, as understood by Applicants, is directed to techniques for inducing a customer to increase his/her order, regardless of the initial order quantity entered by the customer. According to Rubin, when a proposed order is received from a customer, one or more additional orders is identified that, when added to the proposed order increases the discount for the total order to a level that is higher than the volume discount of the proposed order, regardless of whether the proposed order is above a minimal quantity.

The Office Action cites Fig. 3 of Rubin in connection with independent claims 6, 15 and 20.

Fig. 3 of Rubin shows that a promotion is always presented after an order is placed, and the quantity of the order is not compared against a minimal quantity.

Applicants do not find disclosure or suggestion by Rubin, however, of delivering to the customer side display information indicative of at least a first promotion functionally related to the initial order, only if the specified quantity of the specified product of the initial order is in a second selected range higher than a minimum quantity and the first range, and no promotion is displayed at the customer side if the specified quantity does not meet or exceed the minimum quantity, as provided by the method recited in independent claim 1 as amended.

This feature of the claimed invention is neither disclosed by nor inherent to Rubin because Rubin is interested in always displaying a promotion to induce the customer to increase the order.

Since Rubin does not expressly or inherently disclose or suggest each and every feature of the claimed invention exactly, Rubin does not render the claimed invention unpatentable.

Independent claims 6, 15, 20 and 21 are patentably distinct from Rubin for at least similar reasons.

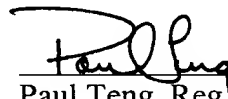
Accordingly, for at least the above-stated reasons, Applicants respectfully submit that independent claims 1, 6, 15, 20 and 21, and the claims depending therefrom, are patentable over the cited art.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Allowance of this application is respectfully requested.

Respectfully submitted,



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